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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

OLIVIER GOUREAU and OLIVIER GOUREAU, INC.,
Plaintiffs-Counterclaim Defendants,

-against -

NOEMI GOUREAU, NICOLAS GOUREAU, STEPHANIE)
GOUREAU, GOOBERRY CORP., NOG)
INTERNATIONAL, INC., and FOPPS, INC.,)

Defendants-Counterclaim Plaintiff.

Civil Action No.:
12 cv 6443 (PAE)(DF)

STIPULATION AND ORDER FOR THE ENLARGEMENT OF TIME

GOOBERRY CORP.,

Third Party Plaintiff,

-against-

SACHA GOUREAU,

Third Party Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and through the respective undersigned counsel for the parties hereto, as follows:

1. Plaintiffs shall have until March 11, 2013 to oppose Defendants' motion for judgment on the pleadings pursuant to Rule 12(c) of the Federal Rules of Civil Procedure (Dkt. No. 33).
2. Defendants' time to reply to Plaintiffs' opposition shall be extended to March 21, 2013.
3. There has been no prior request for an extension of time in connection with this motion. The parties previously jointly requested an extension of time in connection with the

filing of the Amended Complaint and Defendants' Answer to the Amended Complaint, which the Court (Briccetti, J) granted on November 1, 2012 (Dkt. No. 9).

4. The parties further respectfully and jointly request that the Court extend the deadlines set forth in Paragraph 5 and 6(c), and 6(d) of the Civil Case Management Plan (Dkt. No. 20) until two months after entry of the Court's decision on Defendants' Motion for Judgment on the Pleadings. A decision on the motion may substantially affect the costs to be borne by the parties in connection with electronic discovery and depositions, as well as influence the continuing negotiations related to the possible settlement of the claims in this action. The current Civil Case Management Plan sets the deadline for the close of fact discovery on April 22, 2012. It is unlikely that the Defendants' motion will be disposed of in advance of that deadline, thus resulting in potentially unnecessary and costly discovery for both parties. The parties therefore jointly request and agree, in the interests of efficiency, to extend the discovery deadlines set forth above to two months after the date of entry of an order by the Court on the motion for Judgment on the Pleadings. Upon entry of such order, the parties will submit a Revised Civil Case Management Plan and Scheduling Order in compliance with Rule 1(E) of Judge Paul A. Engelmayer's Individual Rules and Practices in Civil Cases.

Respectfully submitted,

YANKWITT & MCGUIRE, LLP

/s/ Daniel McGuire

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*Attorneys for
Defendant/Counterclaimant/Third-Party
Plaintiff Gooberry Corp., and Defendants
Fopps, Inc., Nicolas Goureau and Noemi
Goureau*

Dated: February 26, 2013

SO ORDERED:



Honorable Paul A. Engelmayer
United States District Judge

2/27/13